GENERAL ORDINANCE NO. 07-92

AN ORDINANCE prohibiting the use of skateboards in Freimann Square Park, the Botanical Conservatory or at the Senior Citizen Center.

WHEREAS, the Parks and Recreation Department has opened a Skateboard Center located at Swinney Park for the express purpose of providing a safe area for skateboard users to

WHEREAS, the Parks and Recreation Department has received many complaints from park users and residents about the damage and dangers of walking and using the park facilities where skateboards are being used; and

WHEREAS, the Skateboard Center was built for the exclusive use of skateboarding, but has not significantly reduced the incidence of skateboarding at Freimann Square Park, Botanical conservatory and Senior Citizen Center; and

WHEREAS, the Common Council has the authority to pass ordinances regulating the use of public parks and protecting park facilities and the safety of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 19.5 be added to the City of Fort Wayne Code of Laws as follows:

CHAPTER 19.5 RESTRICTION ON USE OF SKATEBOARDS.

Sec. 19.5-1. General.

Sec. 19.5-2. Penalties.

Sec. 19.5-3. Effective Date.

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Chapter 19.5 "Restriction on use of Skateboards." Section 19.5-1 General.

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Operating a skateboard in the following locations is hereby declared a public nuisance and is therefore prohibited:

> (i.) Freimann Square Park

- Botanical Conservatory grounds (iii.) Senior Citizen Center premises
- The Board of Park Commissioners shall have the discretion

PAGE 2 to post signs as necessary and appropriate to indicate the prohibitions set out in subparagraph (a). Section 19.5-2 Penalties. Violation of Chapter 19.5 shall subject the violator to a fine not to exceed \$50.00 per violation. First time offenders shall be fined not more than \$15.00. Section 19.5-3 Effective Date. This Ordinance shall be in full force and effect from and after its passage by they Common Council of the City of Fort Wayne, approved of the Mayor and promulgated according to law. Council Member APPROVED AS TO FORM AND LEGALITY J. Timothy McCaulay, City Attorney

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Read the first seconded by title and referred to City Plan Commission f due legal notice, at t Building, Fort Wayne, of	the Committee for recommend the Common Co	duly adopted, e on file ation) and Pub	read the secon	be held after
	-28-5N	Ja	udra fo.	Lennedy
D131.11D.		SANDRA	E. KENNEDY, CIT	TY CLERK
Read the third seconded by <u>Bradbe</u> PASSED LOST by	time in full the following	and duly adop	by <u>Cdmon</u> ted, placed on	its passage.
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DATED:	Ţ.	SANDRA	E. KENNEDY, CI	TY CLERK
Passed and adop	ted by the C	ommon Council	of the City of	Fort Wayne,
Indiana, as (ANNEXA		(A PPROPRIAT IC		
(SPECIAL) (ZONI)			RESOLUTION NO.	G.07-92
on the	day of			
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SANDRA E. KENNEDY, CIT		PRESIDI		Indiana, on
Presented by me	to the Mayo	of Two	b	, 1992,
at the hour of//	.30 o'	clock A	M., E.S.T.	
at the hour or		1	12)
		Jan SANDRA	E. KENNEDY, CI	TY CLERK
Approved and s	igned by me t	chis Zot da	ay of February	my,
19 92 , at the hour				/
			11711	
		DALL UP	MKE MAYOR	

BILL NO. 8-92-01-42

REPORT OF THE COMMITTEE ON REGULATIONS

CLETUS R. EDMONDS, CHAIRMAN JANET G. BRADBURY, VICE CHAIRWOMAN RAVINE, TALARICO, SCHMIDT

WE,	YOUR	COMM	TTEE	ON	REGULAT	IONS	TO V	MOM
WAS	REFE	RRED A	AN (OF	RDINANCE)	(RESS	EUTION)_	prohibitin	g the use
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DATED:

DIGEST SHEET

DEPARTMENT REQUESTING ORDINANCE PARKS & RECREATION DEPARTMENT
SYNOPSIS OF ORDINANCE Prohibits the use of skateboards at Freimann
Square, the Botanical Conservatory grounds; and the Senior Citizen
Center premises.
9-92-01-42.
EFFECT OF PASSAGE Skateboards will be prohibited at the specified
locations.
EFFECT OF NON-PASSAGE Skateboards will not be prohibited at the
EFFECT OF NON-PASSAGE Skateboards will not be prohibited at the specified locations.
EFFECT OF NON-PASSAGE Skateboards will not be prohibited at the specified locations. MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)
specified locations.

LEGAL NOTICE

Section 19.5-1 General.

	Notice is hereby given that on thellthday of
	February , 19 92 , the Common Council of the City
	of Fort Wayne, Indiana, in a Regular Session did pass
	the following Bill No. G-92-01-42 General
	Ordinance No. G-07-92 to-wit:
	BILL NO. 92-01- 42
1	GENERAL ORDINANCE NO. 07-92
2	AN ORDINANCE prohibiting the use of skateboards in Freimann Square
3	Park, the Botanical Conservatory or at the Senior Citizen Center.
4	WHEREAS, the Parks and Recreation Department has
5	opened a Skateboard Center located at Swinney Park for the
6	express purpose of providing a safe area for skateboard users to
7	skate; and
8	WHEREAS, the Parks and Recreation Department has
9	received many complaints from park users and residents about the
10	damage and dangers of walking and using the park facilities
11	where skateboards are being used; and
12	WHEREAS, the Skateboard Center was built for the
13	exclusive use of skateboarding, but has not significantly
14	reduced the incidence of skateboarding at Freimann Square Park,
15	Botanical conservatory and Senior Citizen Center; and
16	WHEREAS, the Common Council has the authority to pass
17	ordinances regulating the use of public parks and protecting
18	park facilities and the safety of the public.
19	NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
20	OF THE CITY OF FORT WAYNE, INDIANA:
2122	SECTION 1. That Chapter 19.5 be added to the City of Fort
23	Wayne Code of Laws as follows:
23 24	CHAPTER 19.5 RESTRICTION ON USE OF SKATEBOARDS.
2 4 25	Sec. 19.5-1. General.
26	Sec. 19.5-2. Penalties.
20 27	Sec. 19.5-3. Effective Date.
28	
40	Chapter 19.5 "Restriction on use of Skateboards."

(a) Operating a skateboard in the following locations is hereby

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to post signs as necessary and appropriate to indicate the prohibitions set out in subparagraph (a).

Section 19.5-2 Penalties.

Violation of Chapter 19.5 shall subject the violator to a fine not to exceed \$50.00 per violation. First time offenders shall be fined not more than \$15.00.

Section 19.5-3 Effective Date.

This Ordinance shall be in full force and effect from and after its passage by they Common Council of the City of Fort Wayne, approved of the Mayor and promulgated according to law.

Cletus R. Edmonds

Council Member

Read the third time in full and on motion by Edmonds, seconded by Bradbury, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bradbury, Edmonds, GiaQuinta, Henry, Long,

Lunsey, Schmidt, Talarico

NAYS: None
ABSENT: One
Ravine

ABSTAINED: None

DATED: 2-11-92

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-92 on the 11th day of February, 1992

ATTEST:

SEAL

Sandra E. Kennedy City Clerk Thomas C. Henry Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of February, 1992, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy City Clerk

Approved and signed by me this 20th day of February, 1992, at the hour of 8:30 o'clock A.M., E.S.T.

Paul Helmke Mayor

I, The Clerk of the City of F	Indiana do hereby certify		
that the above and foregoing	is a full,		
General	Ordinance	No	92
passed by the Common Council	on the	llth	day of
February ,	19	and that said	Ordinance was
duly signed and approved by t	the Mayor of	n the 20th	day of
February ,	19	and now remain	ns on file and



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY. CITY CLERK

February 21, 1992

Ms. Connie Lambert Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached fill coverage on the dates of February 25 and March 3, 1992, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-92-01-41 (as amended) Weed Ordinance

Bill No. G-92-01-42 Skateboard Ordinance

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy City Clerk

SEK/ne ENCL: 2

F.W. Common Counc		То:	The Journal	neral Form No. 99P (Revised 1 l-Gazette
(Governmental Un	it)		P.O. Box 10	0
C	ounty, Indiana	_	Fort Wayne	, IN
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GENERAL ORDINANCE NO. 07-92 AN ORDINANCE prohibiting the use of skateboards Freimann Square Park, the Botanical Conservatory at the Senior Citizen Center. WHEREAS, the Parks and Recreation Department s opened a Skateboard Center located at Swinney		,		\$ 53.98
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JOHIC. NOW, THEREFORE, BE IT ORDAINED BY THE OMMON COUNCIL OF THE CITY OF FORT WAYNE,	nd penalties of Ch	apter 155, Acts	1953,	
DIANA: SECTION 1. That Chapter 19.5 be added to the City Fort Wayne Code of Laws as follows:	going account is	just and correct,	that the amount at no part of the	
CHAPTER 19.5 RESTRICTION ON USE OF CATEBOARDS. Sec. 19-5-1. General. Sec. 19.5-2. Penalties.	, J	, , , , , , , , , , , , , , , , , , , ,	Dr.	eri Catman
Sec. 19.5-3. Effective Date. Chapter 19.5 "Restriction on use of Skate- pards." Section 19.5.1 General.	10 92	Title:	C	lerk
Section 19.5.1 General. (a) Operating a skateboard in the following location hereby declared a public nuisance and is therefore ohibited: (i.) Freimann Square Park		Title:		
(ii.) Penalties. (iii.) Senior Citzen Center premises (b) The Board of Park Commissioners shall have e discretion to post signs as necessary and	PU	UBLISHER'S		
propriate to indicate the prohibitions set out in bparagraph (a). Section 19.5-2 Penalties. Violation of Chapter 19.5 shall subject the violator to	State of Indiana	,	- 3(\$c.	
fine not to exceed \$50.00 per violation. First time lenders shall be fined not more than \$15.00. Section 19.5-3 Effective Date. This Ordinance shall be in full force and effect from	Allen County) ss:)		Marie Company
d after its passage by the Common Council of the ty of Fort Wayne, approved of the Mayor and omulgated according to law. Cletus R. Edmonds	Personally appe	eared before me,	a notary public in and	l for said county and state, th
Council Member ead the third time in full and on motion by Edmonds, conded by Bradbury, and duly adopted, placed on	undersigned	Sheri Tatma	who, be	eing duly sworn, says that he
passage. PASSED by the following vote: AYES: Eight Bradbury, Edmonds, Glaquinta, Henry, Long, nsey, Schmidt, Talarico NAYS: None	she is Clericirculation prin	or the		newspaper of general
ABSENT: One Ravine ABSTAINED: None	Fort Wayne,	in state	and county aforesaid,	and that the printed matte
DATED: 2-11-92 Sandra E. Kennedy City Clerk assed and adopted by the Common Council of the	2		py, which was duly dates of publication b	published in said paper for
assed and adopted by the Common Council of the ty of Fort Wayne, Indiana, as General Ordinance by G-07-92 on the 11th day of February, 1992 ATTEST: Sandra E. Kennedy	2/25/92			ong as ronows.
City Clerk Thomas C. Henry Presiding Officer			She	ri Talna
resented by me to the Mayor of the City of Fort ayne, Indiana, on the 13th day of February, 1992, at bour of 11:30 o'clock A.M., E.S.T. Sandra E. Kennedy City Clerk	Subscribed and s	worn to before n	ne this 3rd day	of March 1992.
proved and signed by me this 20th day of February, 92, at the hour of 8:30 o'clock A.M., E.S.T. Paul Helmke Mayor			Suell	es detus
The Clerk of the City of Fort Wayne, Indiana do reby certify that the above and foregoing is a full, e and complete copy of General Ordinance No. 7-92, passed by the Common Council on the 11th y of February, 1992, and that said Ordinance was		14	SHRII	Public Whitley County, IN LEY R. LARUE
07-92, passed by the Common Council on the 11th y of February, 1992, and that said Ordinance was ly signed and approved by the Mayor on the 20th	My commission e	expires:March	3, 1994	Carl Line
y of February, 1992, and now remains on file and on ord in my office.				A.

1992. SANDRA E. KENNEDY, CITY CLERK

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Form Prescribed by State Boar		-	General I The News-Sentin	Form No. 99P (Revised 1987) nel
(Governmental Uni	it)	To:	P.O. Box 100 Fort Wayne, IN	Dr.
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		PUBLISHER'S	CLAIM	
LINE COUNT				
Display Matter (Must not ex more than four solid lines of number of equivalent lines	type in which the	lines, neither of whe body of the adve	nich shall total rtisement is set)	
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Additional charge for notices (50 percent of above amount	s containing rule	or tabular work		
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TOTAL AMOUNT OF CLA		P	,	\$53.98
DATA FOR COMPUTING CO				Φ
Size of type 6 point Pursuant to the provisions as I hereby certify that the fore claimed is legally due, after same has been paid.	egoing account is	just and correct,	that the amount	Tatman
Date: March 3	, 1992	Title:	Clerk	
Timothy Monk, the director of the Human Chronobiology Program at the University of Pittsburgh School of Medicine said overall	P	UBLISHER'S A	AFFIDAVIT	
s chedule with the more conventional 9 a.m. to 5 p.m.	State of Indian			
	Allow Country) ss:		
catnap ca	undersigned	Sheri Tatma	who, being	said county and state, the duly sworn, says that he/
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	Fort Wayne	TAT		d that the printed matter
			y, which was duly pub dates of publication being	lished in said paper for
181		$\frac{3}{3}$, $\frac{3}{92}$	dates of publication being	, as follows.
легару	11	3/3/32	Sheri	Talman
Warner	Subscribed and	sworn to before m	e this <u>3rd</u> day of	March , 19 92.
true and complete copy of General Ordinance No. Ge-07-92, passed by the Common Council on the 11th day of February, 1992, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of February, 1992, and now remains on file and on record in my office.	My commission	expires: March	Notary Pu SHELLEY	blic Whitley County, IN
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of Feburary, 1992. SANDRA E. KENNEDY, CITY CLERK 2-25/3-3				